

NRDC Waters of the U.S. Campaign Activities

As of September 11, 2014

Investment in Supporting the Clean Water Protection Rule

Restoring clean water protections to small streams and wetlands has long been a priority for NRDC. It is one of our Water Program's top strategic priorities, and is the centerpiece of an NRDC campaign, to which NRDC has substantial funds over the past three years. On top of this, NRDC co-leads the coalition of groups working to support the rule.

Public comments

NRDC has already help generate more than 145,000 public comments in support of the rule, significantly exceeding our goal of bringing in at least 100,000 by the end of the comment period. We launched a six-week, focused social media visibility campaign as part of the public comment drive. We are sorting these comments as they are generated by state and district to highlight the total numbers for congressional offices.

Constituency organizing

As a central tactic in our NRDC clean water campaign, we have developed strong partnerships with several constituent groups, each of which we have supported with our analysis of the proposal, information about the issue, and assistance with addressing arguments against the rule. In some cases, we have also provided financial assistance to these groups to enable them to engage or to help them amplify their voice. Because of this significant effort, NRDC is also taking the lead in coordinating this kind of outreach for the community as part of the multi-group campaign supporting the rule that has recently begun to attract funding from dozens of foundations.

NRDC's outreach to date has focused in the following areas:

- **Brewers for Clean Water:** For the past two years we have worked to build a partnership of craft brewing companies in support of the Clean Water Act. Brewers for Clean Water (www.brewersforcleanwater.org) now includes more than forty members in targeted states, including industry leaders like Sierra Nevada, Allagash, New Belgium, and Great Lakes, as well as beloved local breweries and brewpubs. Brewers for Clean Water members have engaged in activities supporting and defending the Waters of the U.S. rule from the very beginning, including letters to President Obama in June, 2013 and December, 2013. In the spring, we organized a radio tour generating 17 interviews with brewers in support of the rule in Ohio, Illinois, Colorado, and Michigan, reaching a radio audience of half a million. We also helped enable New Belgium's government affairs liaison testify at a House hearing and meet with key Senate offices about the rule (we worked with him in preparation, paid for his travel, and accompanied him on office visits). We are currently working with numerous individual brewers interested in submitting positive comments on the rule. On Sept. 19, Jon will participate in a panel at the Wine, Beer & Spirits Law Conference to discuss the rule.

- The Garden Club of America: We worked with the Garden Club on their national organizational public comment on the rule, and also garnered public comments from 166 local garden clubs across the country, which we have shared with relevant members of Congress in meetings. We are continuing to work with the individual garden clubs in key states to garner additional support.
- Evangelical Environmental Network (EEN): We have worked closely in the run up to the rule proposal and during the comment period with EEN, providing technical advice and financial assistance supporting their public comment drive and campaign in support of the rule. EEN has already generated approximately 80,000 comments on the proposal. We have provided additional support to EEN for outreach, including op-eds, in Pennsylvania, Ohio, and North Carolina.
- American Sustainable Business Council (ASBC): We have provided ASBC with assistance and funding enabling them to organize their members on letters to targeted senators supporting the rule (Mikulski, Stabenow, Collins, Bennet, M. Udall, Durbin, Kirk, Feinstein, Warner, Kaine). NRDC helped prepare an ASBC member company from North Carolina for testimony before a House subcommittee. Jon appeared on a webinar for ASBC members that the Council organized, and we have provided a second re-grant to ASBC to secure business participants in events in Maryland, Pennsylvania, Michigan, and Minnesota focused on clean water and business, as well as to write and place op-eds from business leaders in North Carolina, Pennsylvania, California, Virginia, and Michigan.
- Center for Rural Affairs: We have provided CRA with a re-grant to support outreach in Missouri and South Dakota.
- Farmers' Unions: We have been discussing the rule and its implications for agriculture and rural communities with the National Farmers' Union. Although NFU has recently indicated that it would likely not be publicly active, either pro or con, about the rule (after being very positive initially after the proposal came out), we have established a good base of trust with their staff and hope to be able to help advise them as they develop their formal position on the proposal over the coming months, and they have helped us identify particular state farmers' unions that are supportive of the rule, which we intend to approach to determine how we can support and amplify their views.
- Commercial Fishing and Shellfish Harvesting: We are in active discussions with several associations and individual businesses and have provided a background briefing to a couple already.
- Public Health Community: NRDC developed a health-focused presentation, which we have given to nine groups already. As a direct result of this engagement, the American Public Health Association, the Children's Environmental Health Network, Physicians for Social Responsibility, and the Trust for America's Health all joined a letter to the House of Representatives supporting the rule. We intend to continue to provide these groups and others with opportunities to engage via letters to the editor, op-eds, joint briefings, etc.

- Other Groups: We have provided background material to, and encouraged supportive reactions from, the National Association of Clean Water Agencies, the National Religious Partnership for the Environment; several former EPA administrators and assistant administrators for water; a group of state attorneys general (led by the NY AG); and the National Mitigation Banking Association.

Media outreach

- Brewers for Clean Water media tour: We enlisted members of the Brewers for Clean Water partnership in a media tour that so far has generated 17 positive radio interviews and print stories across Colorado, Michigan, Ohio, and Illinois. Our brewer allies on this project included New Belgium Brewing Company (Ft. Collins, CO), Brewery Vivant (Grand Rapids, MI), Great Lakes Brewing Company (Cleveland, OH), and Goose Island Beer Company (Chicago, IL).
- Editorial and op-ed outreach with allied constituencies: In May, NRDC organized a set of regional editorial board tele-briefings on the rule, featuring allies and their state-based affiliates including Trout Unlimited, the National Wildlife Federation, members of the American Sustainable Business Council, and the Evangelical Environmental Network. The tele-briefings garnered participation from 20 outlets (targeted in appropriators' states and districts) and interest in editorializing from 50 outlets. The effort has generated several positive op-eds and editorials in targeted locations so far, with more in the works.
 - http://www.pennlive.com/opinion/2014/06/support_the_clean_water_act_in.html
 - <http://www.detroitnews.com/article/20140611/OPINION01/306110007>
 - <http://thetimes-tribune.com/opinion/restoringclean-water-1.1700470>
 - <http://www.pressherald.com/2014/06/26/maine-voices-clean-water-act-protections-vital-to-maine-environment-economy-people/>
- Latino polling: NRDC commissioned a set of Public Policy Polling polls on the level of Latino support for the rule and federal Clean Water Act generally in Illinois, Florida, Colorado, and New Mexico. We released these to media on Monday, June 23, and are working to place op-eds signed by Latino leaders in each state highlighting the poll results and supporting the rule. We will highlight these poll results and press coverage for congressional offices. (Poll release & results available at <http://www.nrdc.org/media/2014/140623a.asp>)
- Testing the Waters: NRDC used the megaphone of our annual beach report to call for support for the proposal. It was the primary ask of our policy chapter, we linked our action alert on the rule to virtually every TTW page, several NRDC bloggers focused on it, and we produced a high-quality infographic to accompany the report and explain the connection between protecting headwaters and wetlands and beach water quality (http://www.nrdc.org/water/oceans/ttw/2014/images/How_Natural_Solutions_Help_Keep_Our_Beaches_Clean.jpg).

Because of this focus, we succeeded in getting a number of stories that specifically linked our report to the rule:

- USA Today: <http://www.usatoday.com/story/news/nation/2014/06/25/beaches-polluted-pollution-water-runoff-sewage-bacteria/11349409/>

- Christian Science Monitor: <http://www.csmonitor.com/Environment/2014/0626/1-in-10-beach-water-samples-is-contaminated-report-finds>
 - The Advocate: <http://theadvocate.com/home/9538064-125/report-action-needed-to-improve>
 - Earth Island Journal: http://www.earthisland.org/journal/index.php/elist/eListRead/planning_a_day_at_the_beach_check_the_water_quality_first/
 - Daily Comet: <http://www.dailycomet.com/article/20140707/ARTICLES/140709673/1320?Title=State-s-beaches-rank-low-in-water-quality>
 - Pittsburgh Post-Gazette: <http://www.post-gazette.com/news/health/2014/07/01/Testing-the-waters-at-Pittsburghers-favorite-beaches/stories/201406250190>
- Additional targeted editorial outreach: We have participated in extensive discussions with environmental editorial writers at the Washington Post and New York Times. The Post ran a supportive editorial (http://www.washingtonpost.com/opinions/the-environmental-protection-agency-is-swimming-in-murky-water/2014/07/08/ba19ee7e-062d-11e4-8a6a-19355c7e870a_story.html).
 - In response to the drinking water crisis in Toledo, NRDC reached out to numerous media outlets to highlight the need for strong protections of surface waters used as drinking water supplies. We were able to include a discussion of the importance of the rule in several stories:
 - The Hill: <http://thehill.com/policy/energy-environment/214278-toledo-water-ban-raises-runoff-worries>
 - Huffington Post: http://www.huffingtonpost.com/henry-henderson/toledos-troubles-vivid-ex_b_5649677.html
 - New York Times: http://www.nytimes.com/2014/08/05/us/lifting-ban-toledo-says-its-water-is-safe-to-drink-again.html?_r=0
 - Diane Rehm Show, NPR: <http://thedianerehmshow.org/shows/2014-08-07/effects-poisonous-algae-nations-water-supply/transcript>

Ag industry myth busting

- Myth analysis: We prepared a set of targeted rebuttals to myths being spread by the Farm Bureau, which we highlighted in an NRDC blog post. These materials have been blasted to the Hill and shared with congressional staff in meetings. We produced an infographic that examined several tweets that the Farm Bureau was asking people to send, and publicized it via an NRDC blog and a Politico ad. We sent a follow-up letter to the Farm Bureau president challenging him to debate the rule with us.
- Press: An op-ed debunking the most commonly repeated myths from Peter Lehner ran in The Hill on June 18. We blasted this to the Hill and highlighted individually for key offices. We also worked with Media Matters on a broad piece taking down the myths that are appearing (often unquestioned) in the mainstream and agricultural industry press. That piece appears at <http://mediamatters.org/research/2014/07/01/myths-and-facts-about-the-epas-move-to-protect/199947>.

- After NRDC took the lead in debunking these misstatements about the rule and did so in a significant, public fashion, EPA began to fight back as well. Throughout July, in blog posts, several visits to agricultural areas, speeches, high-profile meetings, webinars, and the launch of a major online initiative called “Ditch the Myth” (to contrast with the Farm Bureau’s “Ditch the Rule” campaign), EPA has made a significant effort to rebut false claims about the rule.
- In response to a manufactured controversy (thanks to some members of Congress and the conservative press) about a set of EPA maps, NRDC debunked the claims about these maps in a blog post and worked with Media Matters to ensure that the truth got out. Media Matters did a very strong piece on the topic: <http://mediamatters.org/blog/2014/09/02/right-wing-watchdogs-push-bogus-epa-map-conspir/200602>.

Phone banking

We organized a phone bank along with LCV, Earthjustice, and the Sierra Club generating 100-500 calls to each of the following Senate offices on June 17 urging them to oppose a dirty water rider: Mikulski, Feinstein, Pryor, Begich, Landrieu, McCaskill, Hagan, and Walsh.

We ran a similar phone bank in response to the House’s consideration of a bill to kill the EPA/Corps proposal in September.

Substantive Analysis and Engagement

Of course, one of NRDC’s core strengths is our long history of working on the Clean Water Act and on this issue specifically. As a consequence, we have also been very busy developing detailed substantive analysis and input on particular proposals with respect to the scope of the law.

- Comments for, and participation in, EPA Science Advisory Board review of EPA Connectivity report.
- Briefing members of Congress on rule and potential legislative initiatives attacking/defending it
- Submitted a letter for the record of a T&I hearing about the rule
- Comments on “normal farming” interpretive rule, after collaborating on framework for such comments with Association of State Wetlands Managers, Mississippi River Collaborative, Sustainable Agriculture Coalition, Southern Environmental Law Center, National Wildlife Federation, River Network
- Webinars and conference appearances for several watershed/regional groups (River Network, Clean Water Network, Mississippi River Collaborative, Choose Clean Water Coalition, River Rally) and provided advice to groups in developing materials and input on proposal
- Direct engagement with water organizations concerned that the proposal is not protective enough, like the Waterkeepers.
- Leading community analysis of science surrounding “other waters” for rule comments
- Authoring a piece to be published by BNA in issue presenting environmental/industry perspectives in detailed point-counterpoint form. Similar, shorter, piece also authored for the Environmental Forum.